

Kyle D. Stroup

From: Peter Curtin <pcurtin@analectslegal.com>
Sent: Wednesday, August 2, 2023 5:12 PM
To: Kyle D. Stroup; Jon J. Pinney; Jon W. Groza; Nathan F. Studeny
Cc: 'Campbell, Jay R.'; 'Bernstein, David A.'; Petruzzi, Anthony R.; Yichen Cao
Subject: RE: NOCO v. Aukey, et al., -- Proposed ESI Search Terms for NOCO

Hi Kyle –

Not “only” those documents but primarily those documents. And yes, Aukey will be producing documents on a rolling basis.

Arch & Lake LLP

Peter J. Curtin / Partner

Arch & Lake LLP

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From: Kyle D. Stroup <kds@kjk.com>
Sent: Wednesday, August 2, 2023 4:06 PM
To: Peter Curtin <pcurtin@analectslegal.com>; Jon J. Pinney <jjp@kjk.com>; Jon W. Groza <jwg@kjk.com>; Nathan F. Studeny <nfs@kjk.com>
Cc: 'Campbell, Jay R.' <jay.campbell@tuckerellis.com>; 'Bernstein, David A.' <david.bernstein@tuckerellis.com>; Petruzzi, Anthony R. <anthony.petruzzi@tuckerellis.com>; Yichen Cao <ycao@analectslegal.com>
Subject: RE: NOCO v. Aukey, et al., -- Proposed ESI Search Terms for NOCO

Thanks, Pete. To clarify your statement below—is this initial production from Defendants only of documents that were responsive to the “Browse w/5 Node” search term? If so, will Defendants be producing documents on a rolling basis?

Sincerely,

KYLE D. STROUP

Associate | KJK

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From: Peter Curtin <pcurtin@analectslegal.com>

Sent: Wednesday, August 2, 2023 2:17 PM

To: Kyle D. Stroup <kds@kjk.com>; Jon J. Pinney <jjp@kjk.com>; Jon W. Groza <jwg@kjk.com>; Nathan F. Studeny <nfs@kjk.com>

Cc: 'Campbell, Jay R.' <jay.campbell@tuckerellis.com>; 'Bernstein, David A.' <david.bernstein@tuckerellis.com>; Petruzzi, Anthony R. <anthony.petruzzi@tuckerellis.com>; Yichen Cao <ycao@analectslegal.com>

Subject: RE: NOCO v. Aukey, et al., -- Proposed ESI Search Terms for NOCO

Thanks Kyle –

Your team should soon receive from FTI a link to the initial document production, along with the necessary instructions to access and download the documents.

As you will see, the initial group of documents we reviewed are primarily those documents collected which hit on “Browse w/5 Node,” which we saw as a priority category.

Best Regards –

Pete Curtin

Peter J. Curtin, Partner

Analects Legal LLC

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From: Kyle D. Stroup <kds@kjk.com>

Sent: Wednesday, August 2, 2023 11:42 AM

To: Peter Curtin <pcurtin@analectslegal.com>; Jon J. Pinney <jjp@kjk.com>; Jon W. Groza <jwg@kjk.com>; Nathan F. Studeny <nfs@kjk.com>

Cc: 'Campbell, Jay R.' <jay.campbell@tuckerellis.com>; 'Bernstein, David A.' <david.bernstein@tuckerellis.com>; Petruzzi, Anthony R. <anthony.petruzzi@tuckerellis.com>; Yichen Cao <ycao@analectslegal.com>

Subject: RE: NOCO v. Aukey, et al., -- Proposed ESI Search Terms for NOCO

Thanks, Pete. To your comments:

- It can just be titled author if that is easier on your end.
- For Location, we are looking for the full qualified original path to the native document when collected, including the original file name. For example: C:\MyDocuments\Sales Info\ACME\2017-Monthly-Sales.xlsx.
- On the other end, Folder Name applies to emails, correspondence, and messages to show the full folder path of an email within the mail storage system when collected, including the file name, or the full folder path of an instant message or text message when collected, including the file name, or the Hard Copy folder/binder title/label. For example: Inbox/Active or Sent Items.

Please let me know if you have any questions. Thanks.

Sincerely,

KYLE D. STROUP

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From: Peter Curtin <pcurtin@analectslegal.com>

Sent: Tuesday, August 1, 2023 4:07 PM

To: Kyle D. Stroup <kds@kjk.com>; Jon J. Pinney <jjp@kjk.com>; Jon W. Groza <jwg@kjk.com>; Nathan F. Studeny <nfs@kjk.com>

Cc: 'Campbell, Jay R.' <jay.campbell@tuckerellis.com>; 'Bernstein, David A.' <david.bernstein@tuckerellis.com>; Petruzzi, Anthony R. <anthony.petruzzi@tuckerellis.com>; Yichen Cao <ycao@analectslegal.com>

Subject: RE: NOCO v. Aukey, et al., -- Proposed ESI Search Terms for NOCO

Hi Kyle –

We have two quick questions comments about the list of metadata categories you sent over.

- shouldn't Sender/Author just be Author?; and
- Location – can you clarify what that is intended to capture? The original source folder/file path would be Folder (which is also listed), correct?

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From: Peter Curtin

Sent: Tuesday, August 1, 2023 2:43 PM

To: 'Kyle D. Stroup' <kds@kjk.com>; Jon J. Pinney <jjp@kjk.com>; Jon W. Groza <jwg@kjk.com>; Nathan F. Studeny <nfs@kjk.com>

Cc: 'Campbell, Jay R.' <jay.campbell@tuckerellis.com>; 'Bernstein, David A.' <david.bernstein@tuckerellis.com>; Petruzzi, Anthony R. <anthony.petruzzi@tuckerellis.com>; Yichen Cao <ycao@analectslegal.com>
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Hello Kyle –

We'll give the list of meta data a quick review and get back to you if we have any questions.

Yes, it has taken longer than expected to actually make the production for reasons I don't entirely understand.

This document set has been reviewed. It is now just a matter of producing the files. I can't imagine any reason why it would take past the end of this week.

Peter J. Curtin, Partner

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From: Kyle D. Stroup <kds@kjk.com>

Sent: Tuesday, August 1, 2023 11:10 AM

To: Peter Curtin <pcurtin@analectslegal.com>; Jon J. Pinney <jjp@kjk.com>; Jon W. Groza <jwg@kjk.com>; Nathan F. Studenly <nfs@kjk.com>

Cc: 'Campbell, Jay R.' <jay.campbell@tuckerellis.com>; 'Bernstein, David A.' <david.bernstein@tuckerellis.com>; Petruzzi, Anthony R. <anthony.petruzzi@tuckerellis.com>; Yichen Cao <ycao@analectslegal.com>

Subject: RE: NOCO v. Aukey, et al., -- Proposed ESI Search Terms for NOCO

Thanks for following up, Pete. Below is a list of the metadata that should be included in Aukey's forthcoming production. We note that your initial letter stated that we would receive it on or before July 28 and Yichen's email below stated that we would receive it no later than yesterday, Monday July 31. With that in mind, please provide us with a date certain as to when we will receive the documents.

Metadata:

BEGBATES
ENDBATES
BEGATTACH
ENDATTACH
CUSTODIAN
TO
FROM
CC
BCC

SUBJECT
SENT DATE
DATE RECEIVED
FILE NAME
FILE EXTENSION
DOCUMENT TYPE
SENDER/AUTHOR
CREATION DATE
MODIFICATION DATE
REDACTION
PRODUCED TEXT LINK
PRODUCED NATIVE LINK
LOCATION
FOLDER NAME

Thank you,

KYLE D. STROUP
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From: Peter Curtin <pcurtin@analectslegal.com>
Sent: Tuesday, August 1, 2023 11:01 AM
To: Jon J. Pinney <jjp@kjk.com>; Jon W. Groza <jwg@kjk.com>; Nathan F. Studeny <nfs@kjk.com>; Kyle D. Stroup <kds@kjk.com>
Cc: 'Campbell, Jay R.' <jay.campbell@tuckerellis.com>; 'Bernstein, David A.' <david.bernstein@tuckerellis.com>; Petruzzi, Anthony R. <anthony.petruzzi@tuckerellis.com>; Yichen Cao <ycao@analectslegal.com>
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Counsel –

The team at FTI has asked what types of metadata should be included in the production load file for Aukey's documents.

Unless I'm missing it, Appendix K to the Local Rules does not set out a default for the types of metadata to be produced and the parties have not otherwise agreed on that subject.

With that as background, what categories of metadata do you believe Aukey and NOCO should include in their respective ESI document productions?

Best Regards –

Pete Curtin
Peter J. Curtin, Partner

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From: Yichen Cao <ycao@analectslegal.com>
Sent: Friday, July 28, 2023 10:23 PM
To: Peter Curtin <pcurtin@analectslegal.com>; Jon J. Pinney <jjp@kjk.com>; Jon W. Groza <jwg@kjk.com>; Nathan F. Studeny <nfs@kjk.com>; Kyle D. Stroup <kds@kjk.com>
Cc: 'Campbell, Jay R.' <jay.campbell@tuckerellis.com>; 'Bernstein, David A.' <david.bernstein@tuckerellis.com>; Petruzzi, Anthony R. <anthony.petruzzi@tuckerellis.com>
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Counsel,

We are about to produce the first tranche of documents. Our technical support team (Relativity) is located in Hongkong and due to time difference, we may not be able to get the documents and link to you tonight. If the technical support team works over the weekend, we will get the documents and download link to you tomorrow or Sunday. Otherwise, we will produce the documents no later than next Monday.

Have a good weekend,

Yichen Cao, Ph.D., J.D., Managing Partner

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From: Peter Curtin <pcurtin@analectslegal.com>
Sent: Friday, July 14, 2023 2:35 PM
To: Jon J. Pinney <jjp@kjk.com>; Jon W. Groza <jwg@kjk.com>; Nathan F. Studeny <nfs@kjk.com>; Kyle D. Stroup <kds@kjk.com>
Cc: Yichen Cao <ycao@analectslegal.com>; 'Campbell, Jay R.' <jay.campbell@tuckerellis.com>; 'Bernstein, David A.' <david.bernstein@tuckerellis.com>; Petruzzi, Anthony R. <anthony.petruzzi@tuckerellis.com>
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Counsel –

Please see the attached letter, which responds to Jon's June 22, 2023, letter and Kyle's email below.